

**SAO**

TRACY A. EGLET, ESQ.

Nevada Bar No.: 6419

BRITTNEY R. GLOVER, ESQ.

Nevada Bar No.: 15412

**EGLET ADAMS**

400 South 7th Street, 4<sup>th</sup> Floor

Las Vegas, Nevada 89101

Email: [eservice@egletlaw.com](mailto:eservice@egletlaw.com)

Tel.: (702) 450-5400

Fax: (702) 450-5451

*Attorneys for Plaintiffs*

*Jennifer Wyman, Bear Wyman,*

*and the Estate of Charles Wyman*

**UNITED STATES DISTRICT COURT**

**DISTRICT OF NEVADA**

WESCO INSURANCE COMPANY, as subrogee  
of its insured, NICKELS AND DIMES  
INCORPORATED,

Plaintiff,

vs.

SMART INDUSTRIES CORPORATION d/b/a  
SMART INDUSTRIES CORP, MFG, an Iowa  
corporation,

Defendants.

Case No. 2:16-cv-01206-JCM-NJK

**STIPULATION AND ORDER FOR  
EXTENSION OF TIME TO FILE  
PLAINTIFFS' REPLIES TO THEIR  
MOTIONS IN LIMINE NO's. 5, 6,  
AND 7 (First Request)**

JENNIFER WYMAN, individually; BEAR  
WYMAN, a minor, by and through his natural  
parent JENNIFER WYMAN; JENNIFER  
WYMAN and VIVIAN SOOF, as Joint Special  
Administrators of the ESTATE OF CHARLES  
WYMAN; and SARA RODRIGUEZ, natural  
parent and guardian ad litem of JACOB WYMAN,

Plaintiffs,

vs.

CONSOLIDATED WITH  
Case No. 2:16-cv-02378-JCM-CWH

1 SMART INDUSTRIES CORPORATION, d/b/a  
 2 SMART INDUSTRIES CORP., MFG, an Iowa  
 3 corporation, HI-TECH SECURITY INC., a Nevada  
 4 corporation; WILLIAM ROSEBERRY;  
 5 BOULEVARD VENTURES, LLC, a Nevada  
 6 corporation; DOES I thought V; DOES 1 thought  
 7 10; BUSINESS ENTITIES I through V; and ROE  
 8 CORPORATIONS 11 through 20, inclusive,

9 Defendants.

10 HI-TECH SECURITY, INC; and WILLIAM  
 11 ROSEBERRY,

12 Third-Party Plaintiffs,

13 vs.

14 NICKELS AND DIMES INCORPORATED,

15 Third-Party Defendant.

16 On April 6, 2022, Wyman Plaintiffs filed their Motion in Limine No. 5 to Preclude Any  
 17 Argument that the Subject Arcade Machine Defect Did Not Exist When it Left Smart Industries  
 18 Corporation's Possession (ECF No. 368); Motion in Limine No. 6 to Exclude Argument or  
 19 Reference that the Defective Junction Box Was Modified After it Left its Possession Due to Lack  
 20 of Foundation (ECF No. 369); and Motion in Limine No. 7 to Exclude Charles Wyman's  
 21 Toxicology Report and Any Argument or Reference to His Alleged Drug Use (ECF No. 370).

22 On April 20, 2022, Defendant Smart Industries Corporation filed a Stipulation and Order  
 23 for an Extension of Time to file its Oppositions to Plaintiffs' Motions in Limine until May 4,  
 24 2022 (ECF Nos. 382). On May 4, 2022, Defendant Smart Industries Corporation filed its  
 25 Oppositions to Plaintiffs' Motions in Limine (ECF Nos. 385, 386, and 387). Wyman Plaintiffs'  
 26 Replies to Defendant Smart Industries Corporation's Oppositions to Wyman Plaintiffs' Motions in  
 27 Limine are currently due May 11, 2022. Wyman Plaintiffs have requested a two-week extension  
 28

1 of time to file their Replies in Support of their Motions in Limine. Defendant Smart has agreed  
 2 to Wyman Plaintiffs' request, which would make the replies due on May 25, 2022.

3 This Stipulation is submitted in good faith and is not interposed for purposes of delay.  
 4 Due to unexpected delays and having not received Defendant Smart's Oppositions until May 4,  
 5 2022, with this Court's approval, the parties hereby agree that that the deadline for Wyman  
 6 Plaintiffs to file the above-mentioned briefs, shall be extended by two weeks, or such other time  
 7 as deemed appropriate by the Court. As such, the deadline for filing said briefs shall be  
 8 May 25, 2022.

9 Respectfully submitted by:

Approved as to Form and Content by:

10 DATED this 11th day of May, 2022.

DATED this 11th day of May, 2022.

11 /s/ Brittney R. Glover, Esq.

/s/ Joseph R. Meservy, Esq.

12 TRACY A. EGLET, ESQ.

WILLIAM H. PRUITT, ESQ.

13 Nevada Bar No. 6419

Nevada Bar No. 6783

14 BRITTNEY R. GLOVER, ESQ.

JOSEPH R. MESERVY, ESQ.

15 Nevada Bar No. 15412

Nevada Bar No. 14088

16 EGLET ADAMS

BARRON & PRUITT, LLP

17 400 South Seventh Street, Suite 400

3890 West Ann Road

18 Las Vegas, Nevada 89101

North Las Vegas, Nevada 89031

19 Attorneys for Plaintiffs

Attorneys for Defendant  
Smart Industries Corporation

### 20 ORDER

21 Based upon the Stipulation of the parties hereto, and for good cause, IT IS HEREBY  
 22 ORDERED, that the Stipulation to Extend hereinabove is hereby Granted.

23 DATED May 23, 2022.

24 James C. Mahan  
 25 UNITED STATES DISTRICT JUDGE  
 26  
 27  
 28